

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF PENNSYLVANIA

GEORGE J. ERBE :
Plaintiff : CIVIL ACTION
vs : NO. 1: 08-CV-0813-CCC
JOHN E. POTTER, : JURY TRIAL DEMANDED
Postmaster General, : JUDGE CONNER
Defendant :

JOINT PROPOSED INITIAL CAUTIONARY ISTRUCTION

You have heard the Defendant in this case identified as John E. Potter. Mr. Potter was at the relevant time the Postmaster General of the United States. Under our laws, a USPS employee who wishes to sue their employer must sue the Postmaster General, rather than the USPS itself. Moreover, Mr. Potter will not attend this trial nor testify at this trial. I instruct you that you should not hold against Mr. Erbe the fact that he sued Mr. Potter instead of USPS itself. It would be equally improper to hold against the USPS the fact that Mr. Potter will not be attending or participating in this trial in any manner.

Respectfully submitted,
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